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9 Honorable James L. Robart
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11 UNITED STATES DISTRICT COURT
12 WESTERN DISTRICT OF WASHINGTON AT SEATTLE
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14 VANESSA SIMMONDS,
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16 Plaintiff,
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18 v.
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20 GOLDMAN SACHS & CO., a New
21 York limited partnership,
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23 MORGAN STANLEY & CO.
24 INCORPORATED, a Delaware
25 corporation,
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27 MERRILL LYNCH, PIERCE,
28 FENNER & SMITH
29 INCORPORATED, a Delaware
30 corporation,
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32 BANK OF AMERICA
33 CORPORATION, a Delaware
34 corporation,
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36 ROBERTSON STEPHENS, INC., a
37 Massachusetts corporation,
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39 Defendants,
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41 and
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43 PALM, INC., a Delaware corporation,
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NO. C07-1593 JLR

**PLAINTIFF'S NOTICE OF
DISMISSAL**

PLAINTIFF'S NOTICE OF DISMISSAL – 1
No. C07-1593 JLR

GORDON TILDEN THOMAS & CORDELL LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154
Phone (206) 467-6477
Fax (206) 467-6292

1 Nominal Defendant. |
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3 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff hereby dismisses this
4 action with prejudice as to the adequacy-of-the-pre-suit-demand issue under the
5 standard articulated by the Ninth Circuit (*see Simmonds v. Credit Suisse Sec.*
6 *(USA) LLC*, 638 F.3d 1072, 1097 (9th Cir. 2011) (citing *In re Kauffman Mut. Fund*
7 *Actions*, 479 F.2d 257, 267 (1st Cir. 1973)), and without prejudice as to all other
8 issues.
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PLAINTIFF'S NOTICE OF DISMISSAL – 2
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1 DATED this 11th day of June, 2012.
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CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following.

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PLAINTIFF'S NOTICE OF DISMISSAL – 5
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